

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL C. ROGERS,

Plaintiff,

v.

Case No. 22-cv-11996
Honorable Linda V. Parker

STATE OF MICHIGAN EMPLOYEES
AND COURT OFFICIALS,

Defendants.

**OPINION AND ORDER DENYING PLAINTIFF’S REQUEST FOR A
REFUND OF THE FILING FEE**

Plaintiff is a serial filer who has brought a number of lawsuits against various defendants in this District, including a 2021 action against “Officers of the Court in the State of Michigan, Judges, and Court Personnel,” which was summarily dismissed.¹ *See* Order Dismissing Complaint, *Rogers v. Officers of the*

¹ Plaintiff’s previous lawsuits include: (i) *Rogers v. Ricks*, No. 20-cv-12100 (filed July 27, 2020) (Judge Ludington); (ii) *Rogers v. Friend of the Court, et al.*, No. 19-cv-12954 (filed Oct. 18, 2019); (iii) *Rogers v. State of Mich.*, No. 18-cv-11064 (filed Mar. 28, 2018) (Judge Drain); (iv) *Rogers v. Battles, et al.*, No. 16-cv-13857 (filed Oct. 27, 2016) (Judge Goldsmith); (v) *Rogers v. Mich. Attorney Gen., et al.*, No. 16-12509 (filed June 30, 2016) (Judge Lawson); (vi) *Rogers v. State of Mich., et al.*, No. 16-cv-11155 (filed Mar. 25, 2016) (Judge Lawson); (vii) *Rogers v. Crawford, et al.*, No. 16-cv-10063 (filed Jan. 7, 2016) (Judge Lawson); (viii) *Rogers v. State of Mich. Circuit Ct.*, No. 16-cv-10136 (filed Jan. 13, 2016) (Judge

Court in the State of Mich., et al., No. 21-12945 (E.D. Mich. Jan. 27, 2002), ECF No. 4. On August 23, 2022, Plaintiff filed this action against unnamed state court employees and officials based on some of the same allegations, such as the alleged illegal use of his name and social security number, the mafia, organized crime, bribery, and child support arrearages. (ECF No. 1.) Plaintiff paid the \$402.00 filing fee for the action.

In a decision issued on September 16, 2022, this Court summarily dismissed Plaintiff's Complaint as frivolous. (ECF No. 6.) On February 26, 2024, this Court received a request from Plaintiff to refund the filing fee he paid to bring this action. (ECF No. 19.)

"The Judicial Conference has a longstanding policy prohibiting the refund of fees, with narrow exceptions, e.g., when fees are collected without authority or as a result of administrative error on the part of the clerk's office." *Rashada v. Gonzales*, No. 07-cv-1055, 2007 WL 1795873, at *1 (N.D. Ohio June 20, 2007) (citing JCUS-MAR 05, p. 11). "Indeed, the 'Conference's current policy regarding refunding filing fees, in effect since 1949, has been broadly interpreted to generally prohibit refunds of fees due upon filing, even if a party filed the case in error, or the court dismissed the case or proceeding.'" *Id.* (quoting Memo .from the Admin.

O'Meara); (ix) *Rogers v. Mich. Judicial Tenure Comm'n, et al.*, No. 15-cv-14211 (filed Nov. 23, 2015) (Judge Lawson).

Office of the U.S. Courts to Chief Judges, U.S. Dist. Courts (Apr. 7, 2006) (citing JCUS-MAR 49, p. 202)).

Here, Plaintiff initiated this lawsuit and paid the filing fee. The fees were not paid without authority or due to administrative error. The Court, therefore, is not permitted to refund the filing fee to Plaintiff even if it were inclined to do so.

Accordingly,

Plaintiff's request for a refund of the filing fee (ECF No. 19) is **DENIED**.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: March 4, 2024

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 4, 2024, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager